

EXHIBIT NO. 1

DATE 2-14-07

BILL NO. HB 211

Lombardi, Jan

Subject: FW: Trustee &amp; District Accountability for IEA - HB 211

From: Teresa Jacobs [mailto:tcjacobs@bigsky.net]

Sent: Thursday, February 08, 2007 7:44 PM

To: Windy Boy, Jonathon; Juneau, Carol; HDSands@aol.com; SQIGS@MSN.COM; RICKJORE@HOTMAIL.COM; KOOPMAN@IMT.NET; REPRASER98@BRESNAN.NET; MBLASDEL@BRESNAN.NET; SENATORBUTCHER@AFTCO.NET; Cordier, Doug; IXOYE777@CENTURYTEL.NET; WSGRINDE@AOL.COM; ROBINLHAMILTON@BRESNAN.NET; Lake (Rep.), Bob; MLANGE6@HOTMAIL.COM; HD84WARD@WMCONNECT.COM; FRANKE.WILMER@GMAIL.COM; BLACKS@3RIVERS.NET; JPRANCH@TTC-CMC.NET; JIM@JIMELLIOTT.ORG; r\_hawks@imt.net; SAM@KITZENBERG.NET; Schweitzer, Brian; OPI State Superintendent

Subject: Trustee &amp; District Accountability for IEA - HB 211

To: Representative Jonathon Windy Boy (sponsor of HB 211)

Representative Diane Sands and Senator Carolyn Squires (my legislative representatives)

Members of the House and Senate Education Committees

Governor Brian Schweitzer

Superintendent of Public Instruction Linda McCullough

2/8/07

Dear Members of the Montana Legislature, Governor Schweitzer and Superintendent McCullough,

I am glad to see that HB 211 sponsored by Representative Windy Boy has passed out of committee. I see that it would specifically empower Montana Office of Public Instruction (OPI) to determine how districts would account for the use of targeted legislative funds in school district to implement Indian Education for All. We need that kind of accountability. As a practical matter, I hope that OPI will allow districts to document how they are use these targeted educational funds for both new program costs as well as existing program costs (supplanting other general education dollars), **with the essential caveat that the total program is explicitly board-approved. Hopefully, Trustees can receive some guidance or suggestions from OPI about how to ensure that their strategies and program are informed by current facts, educational best practices, and the priority needs identified by an IEA advisory group of educational professionals, parents and other advocates.**

I think School Board Trustees need more encouragement to be more accountable in general use of taxpayer funds. I say this as somebody who has advocated for adequate funding for public education for over a decade as a member of PTA and the League of Women Voters. I say this after standing before the Montana Legislature's Special Education Committee in 2005, just months after I being elected as a School Board Trustee, to request that legislators preserve 'local control' of public school funds. Now, more than halfway through my term as a Missoula County School Board (MCPS) Trustee, I would appreciate any legislative or state administrative efforts to help Trustees understand the checks and balances which are required by state law, in order to ensure general accountability and fiscal oversight. We need less confusion about such matters. We all need to ensure that there is indeed 'local control' by elected officials. This encouragement could even involve a checklist that Trustees can use (and that is available to the public) to see what document Trustees must personally review and approve before being enacted or released by district administration. Let me be clear that I don't think local control should be undermined, but only carried out for the sake of efficient and effective use of resources to accomplish our great mission of quality public education. **Surely the state has an interest in ensuring Trustee**

2/16/2007

**control of district budgets. All MCPS budgets total nearly 70 million of tax-payer dollars this year.**

As a School Board member, I've expended much time and energy in repeated but failed efforts over the past year to convince my fellow Trustees of the need for us have followup information from school district administration about the use of Special Legislation Session funds. I have especially focused on the need for information and discussion about the funds provided to compensate districts for (1) serving At-Risk Students, (2) providing Indian Education for All (IEA), and (3) bridging the Achievement Gap for Native Students. As yet, I have seen no real support for more Trustee knowledge or accountability in regards to use of the funds designated for Indian Education for All (or the other funds). It is also frustrating that I cannot get answers myself. I hope that HB 211 will help to relieve future confusion or frustration among Trustees. See below for more background details about why other citizens may share my frustration about what has happened in Missoula.

In closing, I want to thank Representative Windy Boy and other legislators for carrying HB 211 forward with bipartisan cooperation. I would be pleased if it were to evolve into new law.

Please feel free to contact me.

Sincerely,

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Here are background details and a timeline regarding the ongoing story of accounting for Indian Education for All in Missoula County Public Schools. I offer this in a spirit of constructive criticism, to demonstrate the need for more structure that outlines the kind of involvement and accountability needed from School Board Trustees:

Late April 2006 - The Board Chair appointed an Ad Hoc Committee on Indian Education for All (IEA). It only met once before its recommendations for use of the new IEA dollars were taken to the Board.

May 10th Board Budget Work Session - MCPS Superintendent Clark presented the Ad Hoc Committee's recommendations for use of the new IEA dollars to the Board. Quoting from the meeting minutes: "Clark reviewed the recommendations from the Ad Hoc Committee for how to spend dollars received for Indian Education. Clark said at the conclusion of negotiations, he will make [his] recommendations [to the Board] on the Ad Hoc Committee's recommendations."

Late May - Teacher contract negotiations resulted in a tentative agreement.

June 2nd memo to the School Board - MCPS Superintendent wrote "Most categorical funds [new ongoing Special Session funds] are required to be used to meet obligations of the tentative agreement".

June 13th Board Meeting - The Board ratified the teacher contract settlement at its June 13th meeting (all in favor). Official meeting minutes do not indicate (nor do I recall) any Board discussion about paying for the new teacher contract with ongoing Special Session funds allocated for At-Risk students, IEA or Bridging the Achievement Gap.

June 30 Memo to the School Board - The Superintendent announced to the Board that he and the Board Chair "do not see a need to take more of your time for another Budget Work Session or Public Hearing on the budgets." As far as I know, only one Trustee protested their decision (during meetings on July 11 and July 25, and in writing on July 18, requesting the Trustees followup in regards to not yet receiving the promised recommendation by the Superintendent for use of Special Session ongoing funds). But to no avail.

NOTE: Between May 10th and August 8th when the Board adopted its budget, there were no additional meetings of the IEA Ad Hoc Committee and no additional contact between the Board and this committee. The Superintendent did not bring Trustees his final recommendation for use of IEA funds based on the work of the Ad Hoc Committee. That recommendation has still never come to the Board, despite numerous formal requests. What came to the Board for its August budget adoption meeting were administrative proposals to use the three-fold ongoing special session funds to pay mostly for a new employee contracts (salary increases), new staffing commitments and an interlocal agreement.

August 8 - The Board approved the administration's budget proposal without any modification (7 yes, 1 no, 3 absent). Neither the adopted budget or the minutes of the budget adoption meeting reflect any financial commitment for new initiatives for providing Indian Education for All or the other two categories either as a commitment or as an "option" list should "funds become available"

Note: Missoulain coverage of this meeting and statements made by the Board Chair about use of IEA funds to pay for salary increases created controversy. Local Missoula legislators asked to meet with MCPS administration to discuss use of funds on August 17. In mid-September, MCPS Superintendent Clark had a guest editorial in the Missoulain in which he defended MCPS accomplishments and commitments in regards to IEA (his statement was not presented to or reviewed by the Board before it went into the newspaper) and it has not been reviewed or discussed by the Board to date.

September 12th Board meeting - The Board Chair allowed the Superintendent to make a lengthy presentation during general public comment at the start of the meeting. He listed MCPS accomplishments and commitments in regards to IEA. Since the issue itself was not an agenda item, it could not be discussed by the Board. Again, no such list or plan has ever been presented to the MCPS Board of Trustees for consideration or discussion to date despite repeated requests for this by at least one Trustee. Trustees have not been asked to approve anything related to Indian Education for All. (A list was talked about during the budget planning process but there was no followthrough before budget adoption on 8/8). At this 9/12 meeting, one Trustee asked the Assistant Superintendent (in charge of IEA) if she would be able, at some point, to help the Board sort out the various sources of current funding for IEA commitments listed by the Superintendent (i.e. general fund, ongoing and one-time only for IEA, various federal title funds, grants from OPI, etc.) She said she was working on that task herself at the moment (no follow-through to date).

September 20th - The Missoulain reported that, according to State Superintendent of Public Instruction Linda McCulloch, Clark's explanations satisfied some critics who were concerned about "how Missoula educators spent their state Indian Education for All money."

January 18th, the MCPS Assistant Superintendent reported to Trustees at a meeting that the district is spending ongoing and one-time only IEA funds "We are spending it as per the recommendations that came from the Ad Hoc Committee. And in some instances that committee right now is revising those recommendations and adding to them...." (Note: This quote is taken from my tape of the meeting. The MCPS draft meeting minutes make no reference to the Trustee's question to the Superintendent, to this response by the Assistant Superintendent, nor to followup comments by two Trustee that expressed concern that the recommendations have not been approved by the Board itself.)

Note: To date, eight months into our fiscal year, the Board is still out of the loop in regards to the use of Indian Education for All ongoing and one-time only funds. The Board has not modified its Aug. 8 general fund allocations which included no new programs for IEA, Bridging the Achievement Gap or At-Risk students,

Although it has not been laid out explicitly before the Board, I understand that not all the budgeted funds the Board committed on 8/8/06 for hiring new classroom teachers on a contingency basis and for an interlocal agreement had to be used. I speculate that these un-designated general funds could be re-committed to MCPS 'categorical' purposes (IEA, IE Achievement Gap or At-Risk). But I have received no official notice that the Superintendent will approach the Board with any such recommendation at this point.

Final Comment: I would not want this account to be misconstrued as a lack of commitment or caring about Indian Education for All or our American Indian students within MCPS. What I'm trying to demonstrate here are the kind of roles and patterns that often leave me uncomfortable as a Trustee with the MCPS Board's decision-making process. It extends beyond tracking the use of Special Session funds. For example, I've observed that my fellow Trustees only express a willingness to make a shallow commitment to oversee district budgets and finances in general. I've often heard the Superintendent assert that Trustees don't need to approve a balanced budget but only to approve the district's budget spending authority and to approve a flexible spending plan that is carried out by the administration. I've also heard my fellow Trustees say many times that "As volunteer Trustees we don't need to know or do [this or that] - that's what we hire professionals for. And we have to trust them." I too would expect that our hired professionals are trustworthy. But I think 'Trustees' have an obligation to 'check the trust' and 'balance the power' in overseeing our budgets and programs. I see little of that. Before MCPS Trustees adopt our budgets, the routine is just to be presented with and to discuss a couple pages of worksheets that outline expected, recommended and possible budget additions or reductions in relation to the general budget that was adopted the year before. Trustees may ask for some changes, but rarely do. Trustees never look at the whole budget book together. Trustees do not examine or modify what is being budgeted for line items based on what was utilized the previous year(s). And before I came on the Board, no other Trustees were reviewing monthly warrants (expense records) before approving them every month (I understand that several Trustees who may be seeking re-election have now elected to receive a copy of the warrants during the last few months). Perhaps more citizens will be willing to do more work as Trustees if they were not just volunteers - the draft bill by Senator Cobb which would allow stipends and health insurance coverage for Trustees might ultimately be an effective investment of our tax dollars.